



Office of the City Attorney
Susan L. Segal
City Attorney
350 S. Fifth St., Room 210
Minneapolis, MN 55415
TEL 612.673.3000 TTY 612.673.2157
www.minneapolismn.gov

612.673.3919
kristin.sarff@minneapolismn.gov

February 1, 2019

By ECF and E-mail

Honorable Tony N. Leung
United States Magistrate Judge
United States District Court, District of Minnesota
300 South Fourth Street
Minneapolis, MN 55415

Re: *John Ruszczyk, as Trustee for the next of kin of Justine Ruszczyk v. Mohamed Noor, Matthew Harrity, Janee Harteau, Medaria Arradondo, City of Minneapolis*, Court File No. 18-cv-2086 (PAM/TNL)

Dear Judge Leung,

I am writing to request that the Court deny Plaintiff's request for a status conference.

Although Retired Judge Boylan was selected by the Plaintiff and the City to serve as a mediator, prior to the initiation of this civil suit, the City was not privy to Robert Bennett's communications with the mediator. Consequently, it cannot speak to what precise information was conveyed during those communications. But there was apparently a lack of clarity. There has not been a final determination on the issue of indemnification. And, Mr. Noor has not provided evidence or testimony to the City with regard to indemnification. Moreover, communications of any nature involving the mediator were intended to be kept confidential. Therefore, it is concerning that Mr. Bennett would chose to disclose such communications in a public filing.

For the sake of accuracy, I note for the Court that I did not convey to Mr. Bennett that "no judge is assigned" to this case. Naturally, I am aware that Your Honor and Judge Magnuson continue to preside over this suit.

Finally, I confidently inform the Court that the representations made by the City, both in its written submissions and at the hearing on its motion, are still accurate and warrant the continuation of the stay granted by this Court. There are no circumstances that would require the Court to lift the stay, particularly since the criminal trial is scheduled to commence in only two months.

Sincerely,

/s Kristin R. Sarff

Kristin R. Sarff
Assistant City Attorney
(612) 673-3919